

**POGONIP MASTER PLAN AMENDMENT &
NEW EAST MULTI-USE TRAIL (EMUT)
REVISED Mitigated Negative Declaration / Initial Study**
STATE CLEARINGHOUSE NUMBER 2010102006

Summary of Public Comments and Responses
February 21, 2012

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I. INTRODUCTION

On July 27, 2010, the City Council approved a motion to direct staff to prepare a detailed design for a new multi-use trail concept along Pogonip's eastern boundary with a proposed amendment to the *Pogonip Master Plan* and to complete the environmental review under CEQA for the trail design and Master Plan Amendment. An Initial Study and Mitigated Negative Declaration (IS/MND) were prepared in October 2010 and circulated for a 30-day public review period from October 7 through November 5, 2010. No public agencies submitted comments. One organization (California Native Plant Society) and 13 individuals submitted comments on the IS/MND; 26 individuals submitted emails or letters in support of the project and/or findings of the IS/MND. Section V of this document lists the commenters, and Section VI includes all public comments received on the 2010 IS/MND.

In response to some of these comments, City staff revised the draft "Trail Plan" to provide additional design information, including details on drainage crossings, bridge and abutment designs, and cut slopes. Design, construction and management guidelines are included. Additional photos were provided, which are keyed to the trail alignment locations on the map, to provide a better illustration of representative trail segments. The final Trail Plan will include all mitigation measures and recommendations included in the Initial Study.

The IS/MND was revised to include the additional project information and to provide additional and/or expanded analyses in response to public comments. Further research regarding potential erosion, habitat and wildlife impacts of mountain bikes, dogs and horses was conducted, which included a literature review of recent studies. The revised Initial Study and Mitigated Negative Declaration were recirculated for public review and comment as summarized below in Section II.

The State CEQA Guidelines section 15073.5 requires a lead agency to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has been given, but prior to its adoption. A “substantial revision” means:

- (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

Recirculation is not required under the following circumstances:

- (1) Mitigation measures are replaced with equal or more effective measures.
- (2) New project revisions are added in response to written or verbal comments on the project’s effects identified in the proposed negative declaration which are not new avoidable significant effects.
- (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.
- (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

The responses and clarifications provided in the Revised Initial Study do not result in any of the above conditions that would warrant recirculation. The revisions provide additional details on the project description and information that further amplifies or expands some of the analyses, particularly those related to impacts of mountain bikes and impacts to biological resources, in response to public comments. Although, the test for recirculation was not technically met, the City decided to recirculate the document for additional public review.

II. PUBLIC REVIEW AND COMMENTS ON REVISED MND/IS

The Revised Mitigated Negative Declaration and Initial Study (MND/IS) were circulated for public review and comments for a period of 30 days between October 27, 2011 and November 28, 2011. The revised document was distributed to:

- The State Clearinghouse;
- State Agencies: Parks and Recreation (Santa Cruz Mountain sector), Fish and Game, University of California Santa Cruz (UCSC);
- Local Agencies: AMBAG, Santa Cruz County Regional Transportation Commission, Santa Cruz County Planning Dept., Santa Cruz County Board of Supervisors, County Clerk; and
- Members of the public who had requested a copy.

The Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) was emailed to 38 individuals and organizations, including all those who commented on the 2010 IS/MND. The Revised MND/IS was also available for review at the City Parks Department office, the

downtown public library, and the UCSC McHenry Library. The Revised MND/IS, NOI, and the revised Trail Plan also were posted on the City's website.

No comments were received from public agencies, except for Caltrans which indicated that any proposal for new trail access to Highway will require approval from Caltrans and an encroachment permit for work within the State right-of-way. The proposed project does not include access to Highway or work within the Highway 9 right-of-way. Two email comments were received from organizations – The Native Plant Society and Mountain Bikers of Santa Cruz. Twelve comments on the MND/IS were received from individuals. Additionally, 106 emails were received from individuals expressing support of the project (with 36 of these also supporting the findings of the MND/IS). Three emails were received expressing opposition to the project. Section V of this document lists the commenters, and Section VI includes all public comments received on the 2011 Revised MND/IS, as well as comments received on the 2010 study and MND.

The State CEQA Guidelines (section 15074) do not require preparation of written responses to comments on a Negative Declaration or Mitigated Negative Declaration, but requires the decision-making body of the lead agency to consider the MND together with any comments received during the public review process. However, the City has decided to provide general responses to comments regarding environmental issues. Section III below summarizes the major comments that were received, and Section IV provides responses. It is also noted that section 15204(b) and (c) of the State CEQA Guidelines also provide standards for review of negative declarations as follows:

- (b) In reviewing negative declarations, persons and public agencies should focus on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should:
 - (1) Identify the specific effect,
 - (2) Explain why they believe the effect would occur, and
 - (3) Explain why they believe the effect would be significant.
- (c) Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

III. SUMMARY OF COMMENTS

The following list summarizes the major comments received on the Revised MND/IS. Generally, comments were received on the following topics; a general review and response, where applicable, is provided in Section IV below:

1. **Project Description**: The lack of detailed site plan maps and details of trail design as well as a final Trail Plan makes it difficult to evaluate the project.
2. **Project Need – Illegal Uses at Pogonip**: Some comments questioned whether the proposed EMUT would deter illegal uses in Pogonip.

3. Impacts to Biological Resources: Questions were raised regarding impacts to coastal prairie habitat, the Ohlone tiger beetle, and other wildlife including bobcats and coyotes.
4. Impacts of Mountain Bikes: Impacts related to erosion and wildlife related to mountain bikes were questioned in some comments.
5. User Conflicts: The proposed narrow path could create conflicts/safety issues between user groups (hikers, mountain bicyclists and equestrians).
6. Alternative Path Along Railroad: Some comments suggest that a path along the railroad is a viable alternative to be explored, while other comments indicate support of the EMUT as a safe alternative route to access UCSC and Highway 9.
7. Cumulative Impacts: One comment questions cumulative impacts due to planned land uses in the Golf Club Drive area set forth in the City's draft 2030 General Plan, which could increase use and impacts at Pogonip, as well as cumulative impacts of the EMUT combined with illegal bike usage.
8. Require EIR: Three comments request that an EIR be prepared.
9. Project Development, Costs, Maintenance and Enforcement: Some comments questioned the City's ability to adequately maintain and fund patrols/enforcement given current fiscal constraints.

IV. RESPONSE TO COMMENTS

1. Project Description. Four comments stated that the project is not sufficiently defined to determine environmental impacts and that there are no detailed site plans or a final Trail Plan. Questions are raised as to how many turnouts, retaining walls and signs will be installed and whether proposed gradients will be exceeded. These concerns are further addressed below.

Trail Plan. The Trail Plan is part of the project description for the new EMUT that will be considered by the City Council as part of the project deliberations for the new trail. The draft Trail Plan includes trail design, signage, and construction guidelines as well as management, maintenance and enforcement measures, which are summarized on pages 7-12 of the MND/IS, and as such is part of the project description. As indicated on page 2 of the MND/IS, the Trail Plan will include all mitigation measures and recommendations included in the Initial Study. As noted on this page, the Trail Plan was available for public review on the City's website. Additionally, the Trail Plan follows the same format and process as was utilized in the design and construction of the U-Con Trail, which is further described below.

Trail Alignment and Design. As described on pages 5-6 of the MND/IS, the trail alignment was developed based on in-field review by City staff and biological and geological consultants. The path is narrow (three to four feet), except in areas of turnouts, and more detailed plans were not deemed necessary due to the low profile nature of the route. The alignment has been walked many times by City staff and consultants, and has

been flagged in the field. The 100-foot corridor was identified for the purpose of environmental review to ensure that potential impacts were identified as the alignment may be shifted during construction to meet design criteria. However, the actual path will follow the conceptual alignment shown on the plans and staked in the field. As indicated on page 6 of the Revised MND/IS, minor modifications to the alignment were made in Segment 7 to minimize impacts on sensitive coastal prairie habitat.

The process of developing the trail alignment is not unlike other proposed projects in which conceptual plans are developed and reviewed under CEQA, and final engineered plans are prepared. Furthermore, the process is similar to that employed for the design and construction of the U-Con Trail. That trail was depicted conceptually and reviewed in the Pogonip Master Plan EIR. Design and management details were set forth in the Trail Plan that was subsequently prepared. Construction was completed via hand tools and a small piece of trail building equipment (shown on Figure 5 of the Revised MND/IS) in which the route was developed in the field following the guidelines set forth in the Trail Plan.

The EMUT alignment may be modified in the field during construction to meet the trail design goals; minor adjustments may be made within 10-20 feet of the staked alignment. The Trail Plan sets forth design guidelines that include constructing a trail not to exceed 10% grade for any segment of the trail, clear sight line views, speed control measures and the latest erosion control techniques in trail design. City staff will consult with trail design experts to design a multi-use trail with gradual slopes that allow for a wider population of park users to utilize the trails. New technology in trail design will feature regulated turnouts, turn radii and line of sight considerations. Using the U-Con Trail construction as a successful example of trail design and construction, staff have exceeded the development of preliminary design and surveys for the EMUT as compared to the preliminary design and surveys that were in place when the U-Con Trail was constructed.

One comment raised concerns regarding the steep gradients in Segment 3 and suggested rerouting the segment to be aligned with the Fern Trail. Potential slope stability issues are addressed on pages 48-50 of the Revised MND/IS, and Mitigation Measures 5 and 6 call for implementation of recommendations of the geologic review as well as design specifications that are set forth in the *Pogonip Master Plan Final EIR*. In particular, the Master Plan EIR Mitigation Measures GEO-1m and WAT-1f call for additional details on specific construction techniques and other measures to be utilized in steep areas requiring slope cuts and at stream and wetland crossings, which is included in Mitigation Measure 6 for the proposed EMUT. Staff have been evaluating the gradient of Fern Trail and possible re-routing options to limit the grade and reduce erosion on the Fern Trail. Feedback received during the comment period is consistent with options that are being explored. Re-routing the Fern Trail will also allow for a greater distance from the proposed EMUT and allow for gradual switchbacks on the proposed trail.

Parking. As indicated on page 5 of the MND/IS, there are no plans to provide additional parking. Existing parking consists of approximately 10 spaces at the end of Golf Club Drive, and over 30 spaces along Golf Club Drive on weekends. It is expected that the trail will provide another route for hikers already utilizing Pogonip either from Golf Club Drive or other access points or mountain bikers who would not need parking. Since

equestrian staging is not available, equestrians would access the trail from Highway 9 as currently exists.

Trail Use. Several comments questioned the number of existing users at Pogonip and future users with the proposed trail. The Pogonip Master Plan EIR indicated existing use at approximately 100-200 daily visitors and estimated an increase of 125 to 600 daily visitors under different alternatives evaluated in the Master Plan. City staff estimates that current visitor use at Pogonip is approximately 125 daily visitors, although recent surveys have not been conducted. Even with the highest use, the Master Plan EIR concluded that there would not be a significant adverse effect on the environment due to expanded recreational use. Mountain bike use would increase with the proposed EMUT, but this expansion of recreational use would not be expected to result in significant impacts. Potential physical impacts related to erosion and wildlife impacts have been addressed in the Revised MND/IS; see also Responses 3 and 4 below. Prior to the City Council hearing on the project, City Parks and Recreation Department staff will further review and estimate the potential number of bicycle users that the EMUT can expect.

2. **Project Need – Illegal Uses at Pogonip.** Some comments questioned whether the proposed EMUT would deter illegal uses in Pogonip. The MND/IS indicates that one of the project objectives is to “discourage” illegal activities, but it is not the only project objective (see pages 3-4). Staff firmly believe that an increased presence of park users in this area of Pogonip will provide additional monitoring and reporting of illegal activities. This has proven to be the case with all greenbelt and outlying parks. This is consistent with the Pogonip Master Plan which states, “As appropriate uses increase within Pogonip, some of the existing law enforcement problems such as illegal camping may decrease. This may occur due to an increased public presence and reporting of illegal activities.” In addition, Park Rangers and Police will be able to access this area of Pogonip with much greater ease, in order to patrol and respond to any reports of illegal activities. Currently, Park Rangers and Police are subject to thick brush, uneven and slippery surfaces, poison oak and other natural obstacles during their patrols of Pogonip. Parks and Recreation Department has determined that a multi-use trail will provide a “legal” means for bicyclists to enjoy the eastern end of Pogonip without impacting the number of existing pedestrian-only trails. The multi-use trail could potentially reduce the number bicyclists which encroach on the pedestrian trails by creating a venue for bicyclists similar to the concept of creating a skate park for skaters. This issue is largely a “social” issue that need not be addressed under CEQA, although it is briefly discussed on page 63 of the MND/IS.
3. **Impacts to Biological Resources.** Two comment letters raised issues regarding impacts to coastal prairie, the Ohlone tiger beetle, and other biological issues, which are addressed below. Additionally, in developing the proposed alignment in the field, City staff and consultants were able to determine that no heritage trees would be removed based on the trail layout. Small amounts of vegetation, mostly non-native species, would be removed as identified on page 40 of the Revised MND/IS.

Coastal Prairie Sensitive Habitat. The status of coastal prairie was identified in the MND/IS as sensitive, and the project impact was identified as significant, which could be reduced to a less-than-significant level with implementation of Mitigation Measure 3 (see pages 42-43 of the Initial Study). Although one comment claims that there is a lack of good data on successful coastal prairie restoration (one of the elements of the mitigation in

accordance with Pogonip Master Plan EIR mitigation measures), the MND/IS identifies proven methods, such as seeding and plant salvage, to establish prairie plant species within prairie areas disturbed by trail construction. Data is available from the County of Santa Cruz in monitoring reports that have successfully implemented these measures in other areas of the County in Aptos, Soquel, and Davenport. In addition, the Initial Study identifies seasonal mowing or other management actions to enhance nearby prairie areas as mitigation for the impact to coastal prairie. Data is available from the County of Santa Cruz in monitoring reports that mowing and other management actions, such as removal of invasive plant species, have been effective in enhancing prairie habitat.

The City has been effective in enhancing prairie habitat at the Haunted Meadow through seasonal mowing and the removal of invasive, non-native plant species. It is noted that the City has not prepared a Coastal Prairie Management Plan; however, the City has been implementing prairie management actions as per the management actions identified in the Pogonip Master Plan. To date, as outlined in the Pogonip Master Plan, measures (mowing, weeding, etc.) have been focused on managing and enhancing prairie areas that support special status species. Actions have been implemented in Haunted Meadow and within smaller meadows along the Fern Trail, Pogonip Creek Trail and Brayshaw Trail. Experimental grazing was also implemented in the main meadow.

Ohlone Tiger Beetle. One comment indicated that the proximity of the planned trail to the main meadow could affect the federally endangered Ohlone Tiger Beetle (OTB) that had been documented in this area in 2005. The biological evaluation in the MND/IS documented that the proposed trail will be located approximately 1,000 feet from OTB occupied areas (2005 observations). Although no OTB has been documented in Pogonip since 2005, despite yearly surveys, the distance of 1,000 feet between the proposed trail and occupied habitat is large enough that trail users will not affect the beetles movement, flight activity, foraging or other activity. Currently bicycles are not allowed on the Prairie Trail which is the trail that currently traverses the OTB habitat. This use restriction is posted and can be enforced by City rangers. Under current trail management actions in the Pogonip Master Plan, the City can implement techniques to control unauthorized bicycle use occurs in OTB habitat as a result of opening bicycle access at Golf Club Drive.

Currently, species surveys are conducted annually in Pogonip by a qualified biologist for OTB, as well as for San Francisco popcornflower, Santa Cruz clover and robust spineflower and to evaluate invasive weeds and to implement actions improve habitat for pollinators in special species areas as needed.

Focused Surveys. One comment questioned the lack of focused species surveys, however, an evaluation of the habitats and growing conditions for special status species was made to determine the likelihood of special status species to be present along the proposed trail. In addition, previous plant surveys of the open space lands failed to document special status species along the proposed trail alignment. Thus, focused surveys were not deemed necessary to evaluate potential biological impacts. Although surveys of bird nesting of special status species was done outside the bird nesting season, the MND/IS includes a mitigation measure to avoid tree removal/construction during the bird nesting season or conduct a bird nesting survey in order to protect birds that may be nesting in the area at the time of trail construction.

Wildlife Issues. One comment questioned impacts to denning bobcats and coyotes. Suitable habitat for bobcats, coyotes, and grey foxes exist in the proposed project area, and all three are known to make use of the habitats within Pogonip. Focused wildlife surveys would be necessary to more fully characterize mammal use in the project area and to identify bobcat, grey fox, and/or coyote dens in the project area, should they exist. There have been no recent studies, however, surveys conducted as part of the Pogonip Master Plan EIR did not find dens in the project area.

Field observations during a site investigation conducted throughout the length of the proposed trail on September 21, 2010 revealed a network of informal foot trails and campsite locations dispersed throughout the alignment and adjacent slopes, with a higher concentration of human use along the rail line and the Golf Club Drive entrance. Day use would not substantially affect bobcats and coyotes if present, as their use is more nocturnal. The informal trail network and dispersed campsites observed in fall 2010 indicated widespread disturbance to forest floor and understory vegetation in the trail alignment.

A follow-up reconnaissance site visit was conducted in February 8, 2012 after a rainy day to observe evidence of wildlife use along the proposed alignment. During that site visit, three active, occupied camp sites consisting of multiple tents were found within the proposed EMUT alignment in the section south of Fern Trail. Evidence of an additional 8-10 abandoned camp sites, including garbage, bottles, sleeping bags and clothing were found in the general area. Throughout the EMUT alignment, potential den spaces under redwood and bay laurel trees, logs and stumps were common and were investigated for suitability. The majority of potential nearby cavities and den spaces were found to contain bottles, cans or some form of plastic or paper waste, presumably placed by campers or others.

North of the Fern Trail area, social trails were less common, but still present in the along the proposed EMUT alignment. Habitat conditions were less trampled and disturbed. In general, habitat suitability for bobcat, grey fox or coyote dens is assumed to be better in the northern half of the alignment due to the relative lack of campsites and associated wastes.

No direct evidence of consistent use by bobcats, grey fox, or coyotes was observed along or adjacent to the EMUT alignment on February 8, 2012. No fresh bobcat, fox or coyote scat was observed in the alignment area. Old bobcat scat was observed along the grassland edge on the lower terrace near the proposed trail, but none was observed along the social trails or proposed trail alignment. Recent, fresh bobcat and coyote tracks and scat were observed on the main meadow trail.

The introduction of human use along the proposed trail would not substantially disrupt wildlife use of the area as the species in question exist within Pogonip where human activity already occurs as well as in other regional state parks. The species in question are more nocturnal and less likely to be affected by daytime use of the trail. The proposed uses along the trail would not result in a significant degradation of habitat, cause a wildlife population to drop below self-sustaining levels, threaten to eliminate a community or restrict the range of listed species, the criteria under CEQA to assess significance. The Initial Study does, however, acknowledge that all users have a potential to impact wildlife, but this is moderated by existing uses in the area and the

persistent accumulation of garbage in potential suitable den features in the EMUT alignment and vicinity. The wildlife biologist review for this project did not conclude that further studies are warranted to assess the potential impacts resulting from use of the proposed trail.

With regards to dog use, one comment also questioned dog use at Pogonip. No formal study of recent and existing dog use at the Pogonip has been conducted. As proposed, the multi-use trail will provide easier access to the project area for both dog owners and rangers seeking to enforce leash-rules. As indicated above, citations are given for off-leash dogs, and the City intends to continue enforcement. As indicated in the Initial Study (page 67), a review of studies in other areas did not reveal significant impacts to wildlife due to dogs.

4. Impacts of Mountain Bikes. A few comments were raised regarding the impacts of mountain bikes on erosion and wildlife. Additionally, some comments state that opening up the area to mountain bikers would result in creation of illegal trails that would further result in erosion and wildlife impacts. The MND/IS provides an analysis based on review of published studies that included review of articles on the subject and scientific studies. While some studies have shown impacts from mountain biking, primarily due to improper design or trail construction, the majority review concluded that impacts were similar to hiking or indistinguishable from hiking in the case of some wildlife studies. Additional studies, especially regarding wildlife, were recommended in some cases. Although, it is beyond the scope of work of this environmental document to conduct a comprehensive literature review, key studies that did so or were frequently referenced were reviewed and key findings summarized. Additionally, staff from local, regional and federal parks and forest service were interviewed regarding their field experience with mountain biking and potential impacts.

The Revised MND/IS provides results of this review on pages 2-3 (general conclusions), 51-55 (erosion impacts), and 65-68 (wildlife impacts). The City believes the research in the Revised MND/IS provides a more complete and updated overview of impacts of mountain biking on wildlife and erosion than was included in the Pogonip Master Plan EIR as discussed below. As indicated on pages 2-3, one recent study, which included a literature review, noted that compared to other outdoor recreational activities, there is a relative dearth of understanding and peer-reviewed scientific papers on the ecological effects of mountain biking, and another study indicated that the biophysical impacts from hiking are better researched than impacts from horse riding and mountain biking, but impacts are common to all three activities. The findings from another study reinforce results from previous research that certain impacts to mountain bike trails, especially width, are comparable or less than hiking or multiple-use trails, and significantly less than impacts to equestrian or off-highway vehicle trails. A consensus seems to be emerging that recreation impacts to mountain bike trails are largely confined to the main tread and mountain biking is likely a sustainable activity on properly managed trails, at least in the environments studied thus far, although further research has been suggested, especially regarding wildlife disturbance and spread of invasive species.

Two comments cited unpublished studies that claim impacts to wildlife from mountain biking: one is a 1995 study for an ecological reserve in San Diego and another is from an individual who did an independent review of articles on impacts of mountain biking. Both conclude that mountain biking impacts wildlife, and these studies and opinions are

so noted. The San Diego study (Robert Patton, 1995) was reviewed as part of the Pogonip Master Plan Final EIR which cited the study, indicating that there is some evidence that areas open to bicyclists result in a decrease in both the average number of wildlife species sighted and number of wildlife sightings, and incidental occurrences of bicycle-killed amphibians and reptiles have been observed in other parks. Based on this study, the Pogonip Master Plan Final EIR indicated that bicycle use is expected to have a greater impact on wildlife use compared to pedestrian use. It is also noted that despite one commenter's claim that the 1998 *Pogonip Master Plan* EIR contained a "lengthy, scholarly study which provided detailed data demonstrating that mountain bikes cause significant environmental impacts to wildlife," the Draft EIR actually addressed intensified use on existing trails and on the proposed UCSC Connector Trail, but did not distinguish between users. The Draft EIR discussion on pages IV.B-42 and 43 was expanded in the Final EIR as noted above. The Final EIR added another provision to Mitigation BIO-3 that requires Ranger staff to "routinely patrol Pogonip trails and cite illegal bicycle and equestrian users" and to keep a log of citations and monitor trails for unauthorized use. Rangers do patrol Pogonip regularly, although staff has been deficient for about a year and a half. The City is now fully staffed with four full-time rangers. A log of citations has been maintained.

The Pogonip Master Plan Draft EIR also provided a review of potential erosion impacts from trail use and indicated that increasing traffic loads by horses and mountain bikes may increase erosion if an active trail maintenance program is not rigorously pursued. The Final EIR (Response C26) reiterated that the critical issue relative to reducing trail impacts associated with any increase of use is commitment to trail maintenance. Based on reconnaissance-level observations throughout the region, the Final EIR concluded that appropriate initial trail construction and vigilant repair of drainage features are the "most notable actions that appear to minimize and mitigate for intensification of user impacts, regardless of use." The review of potential mountain biking impacts in the 2011 Revised MND/IS includes substantially more review and analysis than was included in the Master Plan EIR. The trail construction will incorporate the latest proven design features that will address many of the erosion issues that have occurred at similar types of trails.

Several comments questioned how creation of illegal trails would be prevented and that the EMUT's proximity to the Fern Trail would result in illegal bike use on that trail. The Parks and Recreation Department has supplemented its enforcement staff by the hiring a Chief Ranger position that will oversee enforcement of all greenbelt areas. The Parks and Recreation Department has also hired temporary staff which are assigned to the City's greenbelts and are specifically responsible for trail maintenance and repair, sign maintenance and installation, debris removal and trail monitoring. City staff firmly believes that the construction of the EMUT will reduce illegal bike trails and bicycle encroachment onto pedestrian trails by providing a connector between the UCSC and the Harvey West area of the city. Furthermore, the City's experience with the U-Con Trail has not revealed problems with erosion, creation of illegal paths or conflicts between users. There have been no reported incidences of conflicts.

5. User Conflicts. Several comments stated that a narrow path could create conflicts/safety issues between user groups (hikers, mountain bicyclists and equestrians), and mountain bike use would generate creation of illegal trails. The *Pogonip Master Plan* does indicate that multi-use trails should be a minimum of eight feet where possible. However, as

indicated on pages 64 and 65 of the Revised MND/IS, the Master Plan does allow for a three to four foot trail width in some areas, and City staff do not believe the project is inconsistent with this guideline. According to the project Trail Plan some wider turnout areas will be provided where visibility is limited, which would be supplemented with signage. City staff believes this is adequate to address potential hazards between users. Additionally, the U-Con Trail was developed at a similar width – four to six feet, and there have been no reported incidences of conflicts between users.

Some comments also questioned the effectiveness of signage. Parks staff are constantly changing signage to ensure park patrons are aware of park rules and regulations, and the Department is currently evaluating the need for additional signage throughout Pogonip. As the Arana Gulch Master Plan is implemented, the Parks and Recreation Department will also incorporate some of the elements from Arana's interpretive component into Pogonip and Moore Creek greenbelt areas. Additionally, newly hired staff are conducting periodic patrols of the trails to maintain and repair signage, fencing, gates and bridges. While some comments identified experiences with mountain bikers that do not yield to hikers or pay attention to signage, other commenters indicated that their experiences were to the contrary and there were not significant conflicts between hikers and mountain bikers. One commenter cited DeLaveaga Park as an example of hiking, biking and dog use in which no conflicts were experienced.

6. **Alternative Path Along Railroad.** Several comments reiterated that the City reconsider the alternative for a trail along the railroad tracks for an approximate 1.5 segment between Encinal Street and the Rincon Trail connection, while other comments indicate support of the EMUT as a safe alternative route to access UCSC and Highway 9. While, it is agreed that commenters asked that only the 1.5-mile segment along the railroad be reviewed as an alternative, the City does not own or have control of this property. The narrow width where the railroad crosses Golf Club Drive is also problematic. The potential for a multi-use pathway along the rail corridor is option that may be developed by other entities in the future, but is not considered an alternative for the City to explore.
7. **Cumulative Impacts.** One comment questions cumulative impacts due to planned land uses in the Golf Club Drive area set forth in the City's draft *General Plan 2030*, which could increase use and impacts at Pogonip, as well as cumulative impacts of the EMUT combined with illegal bike usage. As indicated in subsection 4 above, the City does not believe the project will result in creation of illegal trails given management and enforcement measures included in the Trail Plan.

Regarding other vicinity development, the draft General Plan has not yet been adopted, but the existing General Plan currently allows for development of up to 100 residential units in the Golf Club Drive area. The draft General Plan proposes to change the existing General Plan land use designation from Low Density Residential (1.1-10 DU/acre) to Very Low Density Residential (.1-1 DU/acre). However, a residential density of 10.1-20 dwelling units per acre could be applied to the area with preparation and adoption of an area plan, resulting in potential future development of 200 units (100 units more than under the existing General Plan). Potential future new residents in the area may use Pogonip, but visitor numbers would be within the amount reviewed in the Pogonip Master Plan EIR as all new residents are not likely to visit the property at the same time. The intermittent increase in visitor use from 100-200 residences would not result in direct impacts that

would combine with the impacts identified for the EMUT to result in a significant cumulative impact.

Future increased enrollments at UCSC could also result in increased use at Pogonip. Because of the proximity of the campus to Pogonip and because of the presence of trail connections between the campus and the park, the University's 2005 Long Range Development Plan (LRDP) EIR found that the use of Pogonip trails would be expected to increase due to campus growth. Potential deterioration of trails could be reduced to a less-than-significant impact with implementation of LRDP EIR mitigation measures, including UCSC working with the City to ensure that Pogonip has adequate signage to inform users that bicycling is prohibited; providing campus maps that indicate the bicycle use policies in the park; working with campus outdoor activity groups to encourage trail stewardship, and coordinating with City efforts in recruiting volunteers for an annual or semi-annual trail maintenance day.

8. **Require EIR.** Three commenters requested that an EIR be prepared due to an inadequate or incomplete project description, potential biological impacts and other alleged deficiencies in the Initial Study. As discussed above, the project has been sufficiently defined to identify and analyze potential significant environmental impacts, and biological impacts have been fully analyzed without the need for additional focused species studies to determine impacts.

Potentially significant impacts related biological resources and geology/soils can be mitigated to a less-than-significant level with the mitigation measures identified in the Initial Study, which will be incorporated into the final Trail Plan. Under these conditions, preparation of a Mitigated Negative Declaration may be prepared pursuant to the State CEQA Guidelines section 15070. Furthermore, the Initial Study did not identify significant effects that would require preparation of an EIR as outlined in the State CEQA Guidelines section 15065. Potentially significant impacts can be mitigated to a less-than-significant level and have been agreed to by the City, in which case an EIR need not be prepared solely because without mitigation, an environmental effect would be significant (State CEQA Guidelines section 15065(b)(1)).

State CEQA Guidelines section 15073.5(d) If during the negative declaration process there is substantial evidence in light of the whole record, before the lead agency that the project, as revised, may have a significant effect on the environment which cannot be mitigated or avoided, the lead agency shall prepare a draft EIR and certify a final EIR prior to approving the project. It shall circulate the draft EIR for consultation and review pursuant to Sections 15086 and 15087, and advise reviewers in writing that a proposed negative declaration had previously been circulated for the project.

9. **Project Development, Costs, Maintenance and Enforcement.** Some comments questioned the City's ability to adequately maintain and fund patrols/enforcement given current fiscal constraints. These issue will be addressed by City staff in the project staff report.

V. LIST OF COMMENTERS

COMMENTS ON 2011 MND/IS

Letters & Emails with Comments on the 2011 MND/IS

- Public Agencies
 1. State Clearinghouse and Planning Unit, Governor's Office of Planning and Research
 2. Caltrans
- Organizations
 3. Vince Cheap, California Native Plant Society
 4. Mark Davidson, Mountain Bikers of Santa Cruz
- Individuals
 5. Debbie Bulger
 6. Gillian Greensite
 7. Daniel Hirsh (also states opposition to the project)
 8. Ed Jameyson (also states opposition to the project)
 9. Andrea Lee (also states support of the project)
 10. Drew Perkins (also states support of the project)
 11. Cathy Pucinelli
 12. Celia Scott
 13. Peter Scott
 14. Rich Seiter (also states support of MND/IS findings and project)
 15. Mike Vandeman
 16. Ellen Zeff

Letters & Emails that Support Project and 2011 MND/IS Findings

- Individuals
 17. Randall Adams
 18. Matt Ammann
 19. Erik Borrowman
 20. Paul Coenen
 21. Dermott Corr
 22. Lindsay Beth Currier
 23. Josh Defosset
 24. Kim Delkener
 25. Larry E. Duimstra
 26. Sergey Frolov
 27. Allen Goldberg
 28. Mark Howland
 29. Brian Huebner
 30. Jennifer Karno
 31. Roger Kern
 32. Janel K. Lodge
 33. Bryan Loehr
 34. Paul Miller
 35. Tim Park
 36. Emily Radetsky
 37. Pete Redlien
 38. Allie Scrivener
 39. Pete Scontriano
 40. Jim Spring
 41. Chris Wagner-Jauregg
 42. Keith White

Letters & Emails that Support Project

43. Tom Adams
44. David Allen
45. Matt Atwood
46. Mikko Biffle (two emails)
47. Daryl Breuninger
48. Lynne Christianson
49. Ken Chrisman
50. Melissa Cline
51. Robert Cooper
52. Dave Crane
53. John Davis
54. Peter Davis
55. Ron Davis
56. William Deich
57. Dennis (No last name)
58. Mark DePonzi
59. Denver Drake
60. Marty Drake
61. Reed Duffus
62. Bob Estes
63. Kathy Frank
64. Jim Fruitt
65. John, Robin & Taylor Jean Fuchs
66. Dale G. (no last name)
67. Kevin Giberson (and family, relatives, friends)
68. Nicole Goebel
69. Eliad Goldwasser
70. Timothy Grimes
71. Scott Guillaudeu
72. Hilary Hammn
73. John Hauer
74. Hans Heim
75. Eliece Horton
76. Colin Hughes
77. Dan King
78. Jeff Koopman
79. Alex Knowles
80. Connie L
81. Patrick Leal
82. Mike Lefrancois
83. Paul Liebenberg
84. Niall Macken
85. Corey Martin
86. Ed Martini
87. Steve McDonald
88. Greg McPheeters
89. Gus Meyner
90. Ryan Moffatt
91. Beth Moorehead
92. Hilgard Muller
93. Charlotte Multer
94. Kaoru Otaki
95. Stephen Ott

96. Lindsay Overton
97. Natasha Perry
98. Paul Peitryka
99. JC Poussin
100. Joh Rathbun
101. Donna Riggs
102. Charles Rogerson
103. Scott (No Last Name)
104. Ed Scott
105. Ace Sievert
106. Joel Shrock
107. Matthew Sloan
108. Crescent Smith
109. Geoffrey J. Smith
110. Grinell Smith
111. Rebecca Sox
112. Valerie Spier
113. Keith Tschudi
114. Kimberly Tsiaras
115. Sharon Turner
116. Karl Volk
117. Josh Walters
118. Brian Weigel
119. Keith Wells
120. A.J. Winkler
121. Mark Woodhead
122. No Name

Letters & Emails that Oppose Project

1. L. Binnings
2. Jerry Falek
3. Michael Wahlers

COMMENTS ON 2010 MND/IS

Letters & Emails with Comments on the 2010 MND/IS

- Organizations
 1. Vince Cheap, California Native Plant Society
- Individuals
 2. David Green Baskin
 3. Jean Brocklebank
 4. Bruce Engelhardt
 5. Gillian Greensite
 6. Drew Perkins
 7. Cathy Pucinelli
 8. Celia Scott
 9. Peter Scott
 10. Reed Searle
 11. Gabrielle Stocker
 12. Anthony Von der Muhll
 13. Michael Wahlers
 14. Ellen Zeff

Letters & Emails that Support Project and/or 2010 MND/IS Findings

- Individuals
 15. Alex

16. Shannon Armstrong
17. Mikko Biffle
18. Brian Buchholz
19. Rich Cannings
20. Doug Enger
21. Sergey Frolov
22. John Fuchs
23. Bruce Gay
24. David Giannini
25. Nicole Goebel
26. Keith Henderson
27. Michael Horn
28. Russ Laraway
29. Tim Park
30. Paul
31. Natasha Perry
32. Kelsey Schwind
33. James Spiegel
34. Jim Spiers
35. Robert Spies
36. Jun Sunseri
37. Steve Taty
38. Chris Williams
39. Shawn Wilson
40. Tom Wilson

VI. COMMENT LETTERS & EMAILS

The public comments are presented in the following pages in the order outlined in Section V.